IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 26TH JUNE 2007 / 5TH ASHADHA 1929

WP(C).No. 9529 of 2006(H)

PETITIONER:

PAYYAVOOR TIMBER PRODUCTS,
P.O. PAYYAVOOR, KANNUR DISTRICT,REPRESENTED BY ITS MANAGING PARTNER, K.U. JOSEPH.

BY ADV. SRI.R.RAMADAS.

RESPONDENTS:
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1. **THE SECRETARY TO GOVERNMENT,**
   INDUSTRIES DEPARTMENT, THIRUVANANTHAPURAM.

2. **THE GENERAL MANAGER,**
   DISTRICT INDUSTRIES CENTRE, KANNUR.

3. **THE DEPUTY TAHSILDAR,**
   REVENUE RECOVERY, TALIPARAMBA.

BY GOVT. PLEADER SRI. BASANT BALAJI.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/06/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.9529/2006:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE NOTICE NO. B.4/2533/2005 DTD. 21/06/2005 ISSUED BY THE R.2. TO THE PETITIONER.

EXT.P.2: COPY OF THE REVENUE RECOVERY NOTICE NO. E2/20958/05/MARGIN MONEY DTD. 20/01/2006 ISSUED BY THE R.3.

EXT.P.3: COPY OF THE REPLY DTD. 16/02/2006 BEFORE THE RESPONDENTS 1 AND 2 BY THE PETITIONER.

RESPONDENT'S EXHIBITS: NIL.

//TRUE COPY//

prv.

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.9529 of 2006

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Dated this the 26th day of June, 2007.

JUDGMENT

It is stated that respondents have not passed orders on petitioner's claim for waiver of penal interest. Counsel for the petitioner submitted that petitioner has cleared the entire arrears and interest at the normal rate. Balance due is penal interest and collection charges. The W.P. is therefore disposed of directing respondents 2 and 3 to verify the payments made by the petitioner against liability and if petitioner has cleared the entire arrears with interest payable at the applicable rate, then the demand of penal interest and collection charges should be waived. If any balance is due towards loan arrears or normal interest, petitioner will pay the same on intimation from respondents 2 and 3 within two weeks from now.

C.N.RAMACHANDRAN NAIR
Judge

pms